

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 1:01-cr-91
	)	Judge Curtis Collier
CHRISTOPHER COFFELT	)	

**ORDER**

Defendant Christopher Coffelt (“Defendant”) was indicted on eight counts in a Superseding Indictment on August 29, 2001 (Court File No. 8). On December 6, 2001, Defendant pleaded guilty to the conspiracy as charged in Count Eight of the Superseding Indictment (Court File No. 34). In exchange for Defendant’s plea, the Government agreed to dismiss Counts One through Seven (Court File No. 35). These counts were dismissed on April 19, 2002 (Court File No. 46). Defendant appealed his plea and sentence and on October 21, 2005 the United States Court of Appeals for the Sixth Circuit vacated his conviction and remanded his case to the Court for further proceedings (Court File No. 56). Defendant is scheduled to be tried on June 26, 2006 (Court File No. 62).

The Government has moved to reinstate the counts of the Superseding Indictment that were previously dismissed since Defendant successfully attacked his guilty plea (Court File No. 65). The Court believes reinstatement is appropriate, *United States v. Smith*, 584 F.2d 759 (6th Cir. 1978), and therefore will **GRANT** the Government’s motion (Court File No. 65). Accordingly, the Court **REINSTATES** Counts One, Two, Three, Four, Five, Six, and Seven of the Superseding Indictment (Court File No. 8).

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**